The Progressive Review

Nr 267 November 1987

Before you forget about Contragate

REP BROOKS: Colonel North, in your work at the NSC, were you not assigned, at one time, to work on plans for the continuity of government in the event of a major disaster?

BRENDAN SULLIVAN: Mr. Chairman?

SEN INOUYE: I believe that question touches upon a highly sensitive and classified area so may I request that you not touch on that.

REP BROOKS: I was particularly concerned, Mr. Chairman, because I read in Miami papers, and several others, that there had been a plan developed, by that same agency, a contingency plan in the event of emergency, that would suspend the American constitution. And I was deeply concerned about it and wondered if that was the area in which he had worked. I believe that it was and I wanted to get his confirmation.

SEN INOUYE: May I most respectfully request that that matter not be touched upon at this stage. If we wish to get into this, I'm certain arrangements can be made for an executive session

It is now months later and most Americans know no more about this remarkable exchange than they did at the time it occurred.In fact, they would have had to have been viewing the hearings to catch it at all; with few exceptions the media has totally ignored what well could be the most startling revelation to come out of the Iran/Contra affair: that high officials of the US government were planning a possible military coup.

First among the exceptions was the Miami Herald, which on July 5 ran the story to which Jack Brooks referred. The article, by Alfonzo Chardy, revealed Oliver North's involvement in planning for the Federal Emergency Management Agency to take over federal, state and local functions during an ill-defined national emergency.

According to Chardy, the plan called for "suspension of the Constitution, turning control fo the government over to the Federal Emergency Management Agency, appointment of military commanders to run state and local governments and declaration of martial law."

The bizarre scheme seems to have been dismissed in many Washington quarters as further evidence of the looney quality of the whole Iran/Contra affair. One FEMA official called it "a lot of crap" while a representative for Attorney General Meese described it as "bullshit."

The problem is that there is a long history of compatibility between madness and totalitarian takeovers, with Adolph Hitler being a prime but far from only example. Further, there is more than a suggestion in this case that the planning was far more than simply an Oliver North brainstorm. At least one report has it that the US Army even went so far as to draft a legal document providing justifications for martial law.

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Nor was the planning limited to crises involving the total breakdown of society as in the aftermath of a nuclear attack. Among the justifiable uses of martial law were "national opposition to a US military invasion abroad" and widespread internal dissent.

At least one high government official took the plan seriously enough to vigorously oppose it. In a August 1984 letter to Robert McFarlane, Attorney General William French Smith wrote:

I believe that the role assigned to the Federal Emergency Management Agency in the revised Executive Order exceeds its proper function as a coordinating agency for emergency preparedness... This department and others have repeatedly raised serious policy and legal objections to the creation of an "emergency czar" role for FEMA.

Lest you rest comfortably with the notion that the potential danger created by the FEMA plan is past, there are some who have investigated this matter who suspect at least part of the scheme is incorporated in an existing secret presidential executive order.

In any event, the mere creation of the plan suggests how fragile democracy can become in a society in which those at the top choose to use the technological and military means at their disposal not against mere Nicaraguans or Vietnamese, but against the American people themselves.

The head of FEMA until 1985, General Louis Giuffrida, wrote a paper some years back on the *Legal Aspects of Managing Disorders*. Here is some of what he said:

No constitution, no statute or ordinance can authorize Martial Rule. {It commences} *upon a determination (not a declaration) by the senior military commander that the civil government must be replaced because it is no longer functioning anyway... The significance of Martial Rule in civil disorders is that it shifts control from civilians and to the military completely and without the necessity of a declaration, proclamation or other form of public manifestation...As stated above, Martial Rule is limited only by the principle of necessary force."*

Those words come from a time when Giuffrida was working as the head of then-Governor Reagan's California Specialized Training Institute, a National Guard school. In 1970 Giuffrida had written a paper for the Army War College in which he called for martial law in case of a national uprising by black militants. Among his ideas were "assembly centers or relocation camps" for at least 21 million "American Negroes. During 1968 and 1972, Reagan ran a series of war games in California called Cable Splicer, which involved the Guard, state and local police, and the US Sixth Army. Details of this operations were reported in a story by Ron Ridenour of the New Times, an Arizona alternative paper, in 1975 and recently exhumed by Dave Lindorff in the Village Voice.

Cable Splicer was a training exercise for martial law. The man in charge was none other than Edwin Meese, then Reagan's executive secretary. At one point, Meese told the Cable Splicer combatants: "This is an operation, this is an exercise, this is an objective which is going forward because in the long run... it is the only way that will be able to prevail {against anti-war protests}."

Addressing the kickoff of Cable Splicer, Governor Reagan told some 500 military and police officers:

"You know, there are people in the state who, if they could see this gathering right now and my presence here, would decide their worst fears and convictions had been realized-- I was planning a military takeover."

From a conventional legal point of view, martial law can not be established in the US because of the Posse Comitatus Act that prohibits the military from engaging in law enforcement. The point, though, is that martial law is not established under conventional law; it is

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established under the law with which the military feels most comfortable: brute force. And when it is invoked, it is the military and not the judges who have the tanks.

Lindorff quotes Harvard law professor Derek Bell as saying:

The constitutional protections we rely on are only as good as long as the factual situation is not dangerous. When the factual situation is perceived to be dangerous, either by the general public or by people in power, then you could have here the kind of thing we've seen happen in the Third World.

The strongest protection against such an eventuality is the democratic sensibility of those in power. With the likes of Reagan, Meese and Giuffrida calling the shots, however, this protection is minimal at best. Consider the fact that Frank Carlucci, the man who was meant to set things right at the NSC, wrote a Defense Department directive in 1981 that stated in part:

Normally a state of martial law will be proclaimed by the President. However, in the absence of such action by the President, a senior military commander may impose martial law in an area of his command where there had been a complete breakdown in the exercise of government functions by local civilian authorities.

And how gets to decide when this is? The fellow with the will and the tanks, of course. And there are far more of them than the handful of loonies we met during the Iran/Contra hearings.

WEATHER REPORT

• The federal and local war on drugs, America's most ineffective moral crusade since Prohibition, may be entering its desperate stage. Having failed at interdiction, jammed jails to crisis levels in a vain attempt to stop drug use, and introduced mandatory drug testing in a massive assault on individual rights, the administration's next avenue may be a direct prosecutorial attack on users. The president's assistant on drug policy, Dr. Donald MacDonald, said recently: "I think we're ready now to start arresting users... I talked to the president. And he's cleared it. He said OK." Jack Lawn, head of the DEA, has sent a letter to the nation's governors urging more prosecution of drug users... The madness of this approach, already apparent in criminally overcrowded prisons, has ramifications far beyond the matter of how many addicts we have. For example, a major portion of our crime is directly related to national and local drug policy which keeps the price of narcotics at an artificially high level. Further, the drug moralists are so myopic that they have refused to deal with the connection between drugs and AIDS. The latest breakdown from the New York City Department of Health finds that 58% of all AIDS deaths in the city are among intravenous drug users, less than ten percent of whom are gay. The figures could be cut through such policies as giving out free syringes but the drug moralists will have none of it. Thus, our ineffective war against drugs is actually killing people — through crime and AIDS, instead of saving lives.

• A federal judge has rejected the Nuclear Regulatory(sic) Commission's effort to get the Government Accountability Project to reveal the names of 54 whistleblowers who came to GAP with information on defects at the South Texas Nuclear Project near Houston. The judge ruled that the "NRC cannot cast such a wide net when constitutional freedoms are at stake." • The number of women imprisoned in the US has increased 138% during the past ten years according to the US Bureau of Justice Statistics.

• The nuclear industry has suffered another defeat with the closing of the LaCross nuclear power plant in Genoa, Wisc. The decision, said a representative, was purely economic: alternative sources of power now offer "a significant economic advantage over nuclear power." The 18-year-old plant had been subject to numerous citizen protests. In a statement, Public Citizen said, "Rising costs, increasing safety problems and widespread public opposition have deterred utilities from ordering any nuclear plants since 1978. As reactors get older, these same factors will likely force utilities to close existing plants, such as LaCrosse."

• A California Senate committee has approved a bill that could reduce the long wait that women at

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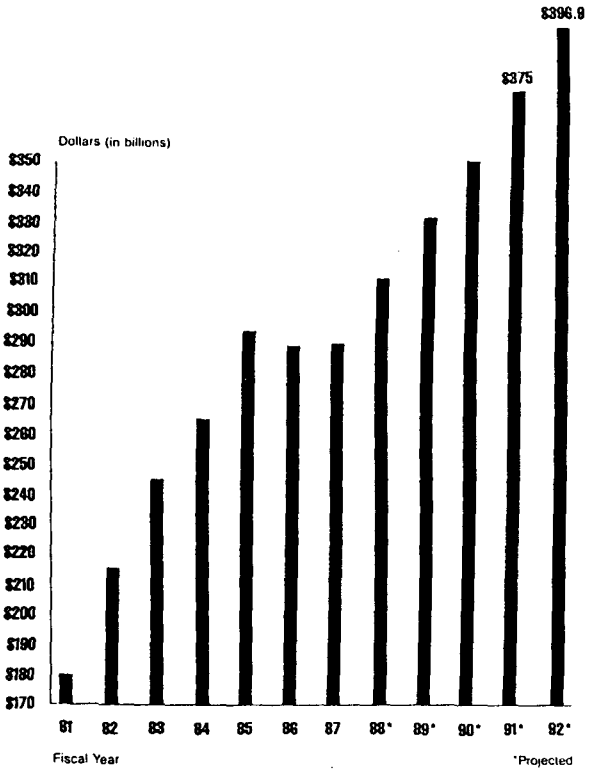
THE REAGAN MILITARY BUILDUP



During the Reagan years, military spending has increased by over 50%, from $180 billion in 1981 to today's $289.6 billion. If the Reagan Administration gets its way, that figure will increase an additional 7.7%, to $312 billion in fiscal year 1988.

-Sane World

entertainment events often endure outside restrooms. The restroom equity bill, popularly known as the "parity in potties bill", passed quickly after about a half hour testimony from women on their experiences waiting in line.

• San Francisco has agreed to pay $35 million in special raises for women and minorities on the basis of comparable worth. This is the second biggest comparable worth settlement.

• The number of blacks in appointed federal executive branch jobs fell from 9.5% in 1980 to 4.5% in 1986.

• There were nearly 3000 mishaps at US nuclear plants in 1986 according to a new study released by the Critical Mass Energy Project. Over 150 of these mishaps were classified by the Nuclear Regulatory Commission as Level 1 or 2 — the most dangerous levels.

• Figures from the American Bankers Association show that women in 1985 accounted for about 44% of the officials and managers employed in US banks, compared with 26% a decade earlier. Ilze Grace, a senior vice president of Bankamerica says, "There's been an evolution in banking as predominantly female over the past ten years. Now middle management is absolutely bulging with women, to the point where I have departments that are almost all women."

• A new study of unmarried, teenaged mothers overturns the stereotype of heavy welfare dependency among this group. The University of Pennsylvania study found that among 300 predominantly black teenagers who became pregnant in the late 1960s, only 13% were on welfare more or less continuously during the follow-up study period of 1979-1984, while two-thirds received no public assistance. Only nine percent were jobless, while 60% had been employed all five years. Even more unexpectedly, the incomes of a quarter of the women placed them clearly in the middle class.

• The Center for Disease Control says that four out of the eight towns with nerve gas arsenals nearby are not ready to deal with accidents. One unprepared location is Newport, Indiana, but CDC won't name the others because it would embarrass local officials. According to Recon Network, 42% of the Pentagon's old nerve gas cannisters are stored near Salt Lake City, the rest at Newport near Terre Haute, and near Pendleton, OR, Pueblo, CO, Huntsville, AL, Lexington, KY, and Baltimore, MD.

• People for the American Way recorded 153 book censorship cases last school year, up 18% from the previous year. In about a third of the cases books were removed, restricted or modified; the censors lost about a third of the cases and the rest are still pending. Here's a list of the censors' favorite targets over the past five years:

School health textbooks: 27 cases
Books by Judy Blume: 23 cases
Catcher in the Rye: 8 cases
Of Mice and Men: 8 cases
To Kill a Mockingbird: 5 cases

• Leon Keyserling, one of the architects of America's successful conversion from World War II to a full employment peacetime economy, died in August. Keyserling's approach was in marked contrast with that of younger economists who have come to accept high unemployment as "structural." Keyserling, in speaking of his full employment ideas, would sometimes use the Titanic analogy. A contemporary economist, he said, would look at the Titanic disaster and say that the men were drowned while the women and children were saved because of the special characteristics of being a man. Keyserling offered another explanation: there weren't enough lifeboats.

• A report from the Department of Agriculture estimates that by the year 2030 we will have taken out of production farmland equal to the entire state of Missouri.

REVIEW INDEX

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A world on the road

Franz Schurman

Many Americans believe that immigration is mainly an American problem. Not true by far. It is a problem, often excruciating, thoroughout Western Europe, the Middle East, Africa, Asia and Latin America.

The entire world, literally, is on the move. Settled citizens move on such a scale that thousands of airlines throughout the world day after day are clogged. Unsettled non-citizens pack up time after time and hit the roads looking for work and a place to set down.

Recently, as migrations have reached tidal wave proportions, citizens in dozens of countries have demanded that the gates be shut. Settled citizens are fearful that aliens are threatening their jobs, ruining their cultures, denaturing their countries.

The U.S. Congress passed an immigration law to "regain control of the borders." In Western Europe anyone with other than white skin is subjected to the most rigorous scrutiny at border crossings. Japan, which never allowed immigration, has mounted some of the strictest border controls anywhere.

Yet according to the Paris-based Group For Research and Analysis of International Migrations (GRAMI), the shutting of the gates is having little effect on the flows. Mexicans are still coming across the U.S. border. There are now 1.5 million Turks in West Germany, more even than a decade ago when Bonn offered generous inducements for them to return. And the trickle of Southeast Asians into "homogeneous" Japan is becoming a little rivulet as that country's economy is being crimped by a labor shortage.

The situation of Turks in West Germany may offer new perspective on the U.S. relationship with Mexico. A quarter of a century ago, Turkey was a desperately poor country, like Mexico then. Today, both are experiencing boom and bust at the same time. Some economists believe both countries early in the next century could achieve U.S.-style living standards.

Yet at the same time, poverty is rampant and hideous. Millions of Turks live in outer city hovels, as do millions of Mexicans. In both countries villages have been emptied by peasants wanting out of the dead end of rural life. And education instituted by governments that fancied themselves as progressive have just accelerated the outflows.

In the 1950s, Adlai Stevenson Sr. coined the phrase "a revolution of rising expectations." True enough, rural economies have been disintegrating. But the other side of the coin of that "push factor" is the discontent young people feel with the hick life of a country bumpkin. And that discontent has been big enough to fuel the most vast migrations the world has ever seen.

This explains why contemporary migrations are very different from even a century ago. Then a good share of the migrants were indeed country bumpkins. Now it is the activated, educated, energetic who hit the migration road. In a sense the migrants are the best and brightest of a country's labor crop and they come into countries where the domestic labor and brain forces are unwilling to do the hard hand and head work needed by a complex modern economy.

The fact that immigrants are indeed needed accounts for the fact that immigration controls are

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E. P. Thompson on the end of the Cold War

It sometimes seems to me as if the Cold War has walked through a mirror. Antagonists change places or swap each other's lines; images are reversed.

Communist economic reformers, we're told, admire the rigor of Western monetarists, while Western bankers tremble lest the capitalist system should collapse in consequence of defaulting third world [nations].

Mrs. Thatcher, the Iron Lady, the inheritor of Churchill's mantle, prepares for her general election by rushing over to the Soviet Union for a series of photo opportunities with Mr. Gorbachev.

Mr. Gorbachev is awaited with an expectant hush in central Europe as the agent of possible liberation from regimes once put in place by Soviet tanks.

President Reagan wanders inconsistently between one script and another, sometimes shouting vulgar insults over the Berlin Wall, sometimes hand on heart pledging to rid the world of nuclear weapons.

For old fashioned people like ourselves, who make a virtue of consistency . . . all this is confusing.

This jumping script, these dizzy reversals disclose that the Cold War as ideology is now utterly exhausted of all realistic content. It is an inherited rhetoric which has persisted long after its historical moment has passed. It does not conform to people's daily experience, it is at odds with economic and cultural realities, it has no meaning for the young.

This signals that we are entering a time when the structures established after the end of World War II are beginning to crumble. The abnormal bipolar division of the world is now held in place by the unwieldy armors, and the alliances laid down in the later 1940s by these exhausted ideological scripts written 40 years ago.

There is no possible human future in which one side or the other wins the Cold War. We've come to the end of the Cold War epoch. And the executives of the Cold War will either destroy civilization in the attempt to cling to their power and habits, or they'll give way before one of those untidy transitional rapids of history, full of eddies and cross-currents, in which not one prescribed future but choices among different futures will be made.

This is the world which we have already entered when the world went through the mirror. It's extraordinarily complex and challenging. The transition from one script to another — from global bipolar confrontation through polycentric diplomacies to cooperation — will entail moments of heightened tension and impulses to collapse back into the old text. . . .

We are heartened by the new flexibility, the new spaces for dialogue which appear to be opening in the Soviet Union. If there is to be a healing process or a historical compromise between the blocs, then this will be one of the largest of historical transitions. . . .

E.P. Thompson, the noted British historian and author, drafted the initial version of the Appeal for European Nuclear Disarmament in 1980. The text above is part of a speech delivered on July 18, during the final plenary session of the 1987 END Convention.

-Northern Sun News

not working in most countries. Deep down, the immigrants are too valuable to keep out.

There is yet another factor which works against attempts to shut the gates. As GRAMI's director Jean-Pierre Garson notes, "the developed countries can no longer disassociate their immigration control policies from the deals they have concluded with developing countries."

West Germany is Turkey's leading source of capital, and both countries are key members of NATO. U.S. deals with Mexico are mind boggling though we can only guess at the details. The U.S. has again and again bailed Mexico out of its debt crisis. The quid pro quo has been a tidal wave of U.S. capital flowing into Mexico. Nothern Mexico has become an integral part of the U.S. industrial network.

In the late 1970s, there was growing talk of a North American common market, including Canada,

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the U.S. and Mexico. The U.S. and Canada have just concluded a far-reaching free trade agreement which for all practical purposes creates a U.S.-Canada common market.

It is not too risky a bet that a similar agreement will be concluded between the U.S. and Mexico. It could even happen before November, 1988, as a gambit to appeal to the Hispanic vote. At that point, Simpson-Rodino will become a dead letter law and the inflow will just go on and on.

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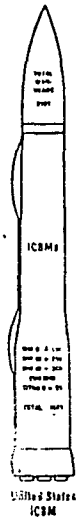

o GE makes parts for more nuclear weapons systems than any other corporation, including the B1-B bomber, the Trident submarine, "Star Wars", the Minuteman missile, and the command, communications and control technology needed for a protracted nuclear war.

o GE is the sole manufacturer of the neutron generator, the "trigger" which primes the detonation of every U.S. nuclear bomb. GE designed and produced the first neutron generator in the early 1950s and built the DOE's Pinellas Plant to manufacture it in 1956.

o GE also set up the 570-square-mile Hanford Nuclear Reservation in Washington state in 1946 and managed it for the government until 1964, running as many as nine reactors to produce plutonium for nuclear bombs. During this period, radiation was released into the surrounding land, water and air in quantities that are only now being revealed to the public.

o GE manufactures nuclear waste casks for transporting radioactive waste to their nuclear waste storage facility in Morris, IL (the only away-from- reactor waste dump in the country, 50 miles southwest of Chicago). Of 15 GE casks in use in 1980, seven were removed from use (after having been used) for structural defects.

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JUST POLITICS

• You'll hear a lot during the current campaign about increasing the productivity of American workers so it's useful to pass along Harper's note that since 1981 the productivity of American workers has gone up at an annual rate of 4%. Their wages have gone up at an annual rate of 0/8%.

• Although minority groups have assumed that doing away with at large elections is the best way to get minority representation on local bodies, this is not necessarily the case. Various alternative forms of voting, little used in the US but well tested elsewhere, work just as well. In fact, in the first case of cumulative voting used as a method of settling a discrimination suit under the Federal Voting Rights Act, the town of Almogordo, NM, last summer elected a hispanic businesswoman to its city council. She was the only minority candidate running in a field of eight for three seats. Under cumulative voting everyone gets as many votes as there are seats up for election. These can be split or cast for one person. Thus minorities or other organized groups can concentrate their electoral power where it will count the most. In this case, the hispanic candidate finished third in a town that is 30% hispanic.

• Some environmentalists in Massachusetts have taken Michael Dukakis to task for his emphasis on mass burning of waste rather than recycling. Although Dukakis talks recycling, current state plans will produce mass burning of 90% of the state's waste. Mass burning not only produces toxic air pollution but toxic ash waste. The Massachusetts Fair Share Coalition Against Incineration (20 East St., Boston, Ma. 02111) has produced a report on the subject.

• Among the Democratic candidates only Michael Dukakis, Jesse Jackson and Paul Simon have opposed a proposed constitutional amendment that would ban abortion and favor using federal funds to pay for abortions for poor women.

• The Women's Campaign Fund has signed on only a half dozen women who are potential candidates for the House in 1988 and neither party expects to have a major woman contender for the Senate. Observers blame the hassles Geraldine Ferarro ran into and the mini-scandals surrounding male presidential candidates as putting a damper on female interest in running for high office. One woman has bowed out of a Senate race because her husband doesn't want his business dealings in the daily news. The Wall Street Journal, however, reports that women are running for lower offices in record numbers.

• Pat Schroeder was constantly asked during her short-lived campaign: "Why are you running as a woman?" Her reply: "Do I have an option?"... Fifty-seven percent of American voters say a woman would do just as well or better than a man as president, and more than 70% say a woman would equal or better a man as mayor, state legislator or member of Congress. The poll also found that voters consider female candidates more compassionate, more moral and more honest than male candidates.

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